

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 253, FOOD AND DRUGS ACT.

ADULTERATION OF SHELLLED PEANUTS.

On or about December 13, 1909, the Vegetarian Meat Company, Washington, D. C., offered for sale in the District of Columbia 10 bags of a food product known as shelled peanuts. Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the product was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Columbia.

In due course a libel was filed against the said 10 bags of shelled peanuts, charging adulteration within the meaning of the act because it was in a filthy condition and infested with worms and other animal matter, and unfit for human consumption, and praying seizure, condemnation, and forfeiture.

On January 7, 1910, the defendant filed its plea of guilty and the case coming on for final hearing, the court rendered its decree of condemnation and forfeiture in substance and form as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA HOLDING A DISTRICT COURT.

UNITED STATES OF AMERICA	} District No. 856.
vs.	
TEN BAGS, MORE OR LESS, OF SHELLLED PEANUTS.	

JUDGMENT OF CONDEMNATION.

Upon motion of the United States for judgment of condemnation in the above entitled cause, and it appearing to the Court that upon the libel filed herein on the thirteenth day of December, A. D. 1909, the Marshal of the

United States for the District of Columbia has seized ten bags of shelled peanuts, and it further appearing that the Vegetarian Meat Company has entered its appearance herein as the owner of the said peanuts, and has filed herein its plea consenting to this judgment of condemnation, and no objection being signified to the Court; and it further appearing that all of the said peanuts are in a filthy condition, and are infested with worms and other animal matter, and are so contaminated by the presence of the said worms and other animal matter as to be absolutely unfit for human consumption; and it further appearing that the said peanuts were being offered for sale by the said Vegetarian Meat Company in the District of Columbia at the time of the filing of the libel herein,

It is, this seventh day of January, A. D. 1910,

Adjudged, ordered and decreed, That the said peanuts in the custody of the United States Marshal are adulterated within the meaning of the said Act of Congress, approved June 30, 1906.

It is further ordered that the said peanuts be, and they are hereby condemned, and they shall be disposed of by sale or destruction by the said United States Marshal, under such terms and conditions as will not violate the provisions of the said Act approved June 30, 1906.

It is further ordered that the respondent, the Vegetarian Meat Company, pay all the costs of this proceeding.

It appearing, however, that the said ten bags of peanuts are suitable for food for animals, and that the said Vegetarian Meat Company has made arrangements for the sale of these peanuts for food for chickens to the Old Dominion Poultry Farm, at Claremont, in the State of Virginia.

It is provided further, that upon the said respondent, the Vegetarian Meat Company, paying all the costs of these proceedings, and executing and delivering to the said United States a good and sufficient bond, with surety, to be approved by the Court, in the penal sum of fifty dollars, conditioned that the said ten bags of peanuts shall not be sold or in any manner disposed of contrary to the provisions of the said Act approved June 30, 1906, the said Marshal shall re-deliver and surrender the said ten bags of peanuts to the respondents, the Vegetarian Meat Company, in lieu of their disposition by sale or destruction, as aforesaid.

(Sgd) WENDELL P. STAFFORD,
Justice.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *March 8, 1910.*

